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Thomas Duve

European Normativity – Global-Historical Perspectives

Introductory remarks

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Rg 22 2014 9 – 13

Inhalt

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Thomas Duve 16 German Legal History: National Traditions and Transnational Perspectives

Fokus focus

Thomas Duve	51	European Normativity – Global-Historical Perspectives. Introductory remarks
Jürgen Renn	52	The Globalization of Knowledge in History and its Normative Challenges
Hartmut Leppin	62	Christianity and the Discovery of Religious Freedom
Heiner Lück	79	Aspects of the transfer of the Saxon-Magdeburg Law to Central and Eastern Europe
Raja Sakrani	90	The Law of the Other. An unknown Islamic chapter in the legal history of Europe
Martti Koskenniemi	119	Vitoria and Us. Thoughts on Critical Histories of International Law
Tamar Herzog	140	The Appropriation of Native Status: Forming and Reforming Insiders and Outsiders in the Spanish Colonial World
Jean-Louis Halpérin	150	Transplants of European Normativity in India and in Japan: a Historical Comparison
Li Xiuqing	158	The Chinese Repository and Chinese Criminal Law in the Minds of Westerners of the 19th Century
Zhang Zhongqiu	176	China's Selection of Foreign Laws for Succession in the Late Qing Dynasty
Eugenio R. Zaffaroni, Guido L. Croxatto	192	El pensamiento alemán en el derecho penal argentino
Elisabetta Fiocchi Malaspina, Nina Keller-Kemmerer	214	International Law and Translation in the 19th Century
Urs Matthias Zachmann	228	Does Europe Include Japan? European Normativity in Japanese Attitudes towards International Law, 1854–1945
Ute Frevert	245	Honour and/or/as Passion: Historical trajectories of legal defenses
Paolo Grossi	257	Die Botschaft des europäischen Rechts und ihre Vitalität: gestern, heute, morgen

Kommentar commentary

Mario Ascheri	270	A final comment and request
Kjell Å. Modéer	275	The Deep Structures of European Normativity in a Global Context
Philip C. McCarty	283	Globalizing Legal History

Kritik critique

Gunnar Folke Schuppert 294 The Cosmopolitan State

H. Patrick Glenn, The Cosmopolitan State

Antonio Manuel Hespanha 303 The Legal Patchwork of Empires

Legal Pluralism and Empires, 1500–1850, ed. by Lauren Benton, Richard J. Ross

Li Yang 316 Legal Orientalism, or Legal Imperialism?

Teemu Ruskola, Legal Orientalism

Stefan Kroll 323 Selbst die Kopie ein Original. Die Konstruktion und Adaption globaler Ideen

Samuel Moyn, Andrew Sartori, Global intellectual history

Christiane Birr 325 Die seidenen Bande des Empire

Bonny Ibhawoh, Imperial Justice

Otto Danwerth 326 Von den Inka lernen, heißt herrschen lernen. Zu zwei Editionen von Schriften eines spanischen Juristen im frühkolonialen Peru

Polo Ondegardo, Pensamiento colonial crítico, ed. de Gonzalo Lamana Ferrario

Polo Ondegardo, El Orden del Inca, ed. de Andrés Chirinos y Martha Zegarra

Leticia Vita 331 ¿Por qué hablar de Culturas Constitucionales? Nuevas perspectivas sobre las revoluciones atlánticas

Constitutional Cultures, ed. by Silke Hensel et al.

Pamela Alejandra Cacciavillani 334 A labyrinth of dissimilar senses

Alma Guadalupe Melgarito Rocha, Pluralismo Jurídico

Roberto Gargarella 336 Explicando el constitucionalismo latino-americano

Gabriel L. Negretto, Making Constitutions

Ulrich Jan Schröder 338 Verfassungsvoraussetzungen – rechtshistorisch betrachtet

Verfassungsvoraussetzungen, hg. von Michael Anderhaiden et al.

Kritik critique

Carolin Behrmann	341	Iconomus Peter Goodrich, Legal Emblems and the Art of Law
Michael Stolleis	343	Die Rückseite der Malerei ist die Vorderseite des Staates Erk Volkmar Heyen, Verwaltete Welten
Christoph H. F. Meyer	345	Mittelalterliche Gerichtsbarkeit – im Zeichen der Sakralität und des Vergleichs? Robert Jacob, La grâce des juges
Mario Ascheri	347	Processo romanico-canonico: una ›eccellenza‹ attraverso il tempo? Knut Wolfgang Nörr, Romanisch-kanonisches Prozessrecht
Karl-Heinz Lingens	350	Kostbare Zeit Eine Grenze in Bewegung: Private und öffentliche Konfliktlösung im Handels- und Seerecht, hg. von Albrecht Cordes, Serge Dauchy
Christian Windler	352	Objekte als Medien der Diplomatie Materielle Grundlagen der Diplomatie, hg. von Mark Häberlein, Christof Jeggle
Harald Maihold	354	Kriegsrecht aus moraltheologischer Sicht Francisco Suárez, De pace – De bello, hg. von Markus Kremer
Martti Koskenniemi	356	On the religious Origins of Capitalism Wim Decock, Theologians and Contract Law
Wim Decock	361	Geldüberwuchert Was vom Wucher übrigbleibt, hg. v. Matthias Casper u.a.
Harald Maihold	363	Ich sündige, also bin ich! Das spanische Drama als Probebühne für moralische Experimente Hilaire Kallendorf, Sins of the Fathers
Wim Decock	365	Papsttreu bis zum Tode Cyrille Dounot, L'œuvre canonique d'Antoine Dadine d'Auteserre (1602–1682)

Kritik critique

Sylvia Kesper-Biermann 366 Der aufgeklärte Tod auf Raten

Gerhard Ammerer, Das Ende für Schwert und Galgen?

Vera Finger 369 Am Morgen singen die Vögel

SLING, Der Mensch, der schießt

Karl Härter, Tina Hannappel, Conrad Tyrichter, Thomas Walter 374 Terrorismus für die Rechtsgeschichte? Neuerscheinungen zur Geschichte politischer Gewalt im 19. und 20. Jahrhundert

Richard Bach Jensen, The Battle against Anarchist Terrorism

Gewalt ohne Ausweg?, hg. von Klaus Weinhauer, Jörg Requate

An International History of Terrorism, ed. by Jussi M. Hanhimäki, Bernhard Blumenau

Radikale Milieus, hg. von Stefan Malthaner, Peter Waldmann

Terrorism and Narrative Practice, ed. by Thomas Austenfeld et al.

Terrorismus und Geschlecht, hg. von Christine Hikel, Sylvia Schraut

Abstracts 387 abstracts

Autoren 394 contributors

Thomas Duve

European Normativity – Global-Historical Perspectives

Introductory remarks

For centuries, it may have seemed as if standards of normative thinking now valid across the globe had first been instituted in Europe. These normative orders form the foundations of our verdicts that define and distinguish right and wrong, good and bad or even beautiful and ugly. But in order to better understand the global presence of such normative orders that evolved from within the European horizon, the history and implications of European expansion in the early modern era cannot be swept under the rug.

Even if traditionally scholars may have chosen to view Europe's presence on world stage as natural or necessary, and later, in light of the modernization theories, at least as desirable, so that many still might consider the so-called ›Europeanization of the world‹ a great cultural achievement, questions that challenge this view are no less salient. The transfer of normative ideas and practices from a European context to non-Europe appears, indeed, to exemplify an imperialism which began with colonization and is perpetuated today largely in the economic and cultural realms. In fact, we must ask if we legitimately can even speak of a strand of normativity that is distinctly ›European‹ and that ostensibly has ›spread‹ across the globe. Now that we are ever more keenly aware of the differences within Europe and continue to be sensitized to the processes of appropriation and translation and, as such, of transformation of normative ideas and practices in their respective cultural environment, questions persist: Did normative ideas and practices ever exist as distinctly »European«? Which ones? When did ascriptions to Europe as a cultural entity begin and where did Europe end? Which role, in relation hereto, did its demarcation vis-a-vis non-Europe play? What remained of ideas developed from within a European context after their appropriation in local contexts and once they underwent translative and transformational processes?

On the festive occasion of the inauguration of the new premises of the Max-Planck-Institute for European Legal History on 2nd September 2013 a cross-disciplinary conference was held to discuss questions regarding the historical role of Europe in the world to which we invited scholars from diverse disciplinary traditions and fields of research. While our discussions mainly centered on the history of law, specifically for the reasons listed above, we were also curious about other forms of normativity and their histories of appropriation and interrelating. [1]

The current *Focus* expands beyond the original conference proceedings to include five articles written especially for this issue and dedicated to fields of research not addressed during the course of the conference. Some papers as well as three comments make strong references to a working paper written in preparation for the conference and available on SSRN. [2] Together with other studies – some of them to be published in a volume of collected essays titled *Entanglements in Legal History: Conceptual Approaches*, the first in a new publication series launched by the Max-Planck-Institute for European Legal History called *Global Perspectives on Legal History* (GPLH) – they offer a fascinating panorama of interconnected legal histories and challenges of this transnational legal history.

■

1 See the conference report by Otto Danwerth / Nina Keller / Zülâl Muslu *European Normativity – Global Historical Perspectives.* 02.09.2013 – 04.09.2013, Frankfurt am Main, in: H-Soz-u-Kult, 25.01.2014, http://hsozkult.geschichte.hu-berlin.de/tagungsberichte/id=5202.

2 Duve, Thomas, European Legal History – Global Perspectives. Working Paper for the Colloquium European Normativity – Global Historical Perspectives (Max-Planck-Institute for European Legal History, September, 2nd – 4th, 2013) (August 5, 2013). Max Planck Institute for European Legal History Research Paper Series No. 2013-06. Available at SSRN: http://ssrn.com/abstract=2292666 or http://dx.doi.org/10.2139/ssrn.2292666.